

**Filed 9/26/96**

UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT

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M.M., individually and on behalf of all  
others similarly situated,

Plaintiff-Appellant,

v.

ARISTEDES W. ZAVARAS,  
Executive Director of the Colorado  
Department of Corrections, in his  
official capacity,

Defendant-Appellee.

No. 96-1416  
(D.C. No. 96-WM-2010)  
(D. Colo.)

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ORDER AND JUDGMENT<sup>1</sup>

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Before PORFILIO and HENRY, Circuit Judges.

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After examining the documents filed in connection with this appeal, this  
panel has determined unanimously that oral argument would not materially assist

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<sup>1</sup> This order and judgment is not binding precedent, except under the  
doctrines of law of the case, res judicata, and collateral estoppel. The court  
generally disfavors the citation of orders and judgments; nevertheless, an order  
and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

the determination of this appeal. See Fed. R. App. P. 34(a); 10th Cir. R. 34.1.9.

The case is therefore ordered submitted without oral argument.

Appellant has filed with this court an emergency application for stay pending appeal of the denial of her motion to proceed in pseudonym. Because this is not a final, appealable order, we decline to rule on the application, Desktop Direct, Inc. v. Digital Equipment Corp. 993 F.2d 755, 760 (10th Cir. 1993), and the appeal is dismissed for lack of jurisdiction. Id.

DISMISSED.

ENTERED FOR THE COURT  
PER CURIAM